

Docket No.: 246924US3DIV



COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



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RE: Application Serial No.: 10/753,338
Applicant: Morimichi WATANABE
RCE Filed: May 27, 2005
For: SIDING BOARD FOR CLAPBOARD
BOARDING AND A CLAPBOARD
BOARDING STRUCTURE
Group Art Unit: 3635
Examiner: SLACK, N. N.

SIR:

Attached hereto for filing are the following papers:

PROVISIONAL ELECTION OF SPECIES

Our check in the amount of \$0 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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DOCKET NO: 246924US3DIV



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :
Morimichi WATANABE : EXAMINER: SLACK, N. N.
SERIAL NO: 10/753,338 :
RCE FILED: May 27, 2005 : GROUP ART UNIT: 3635
FOR: SIDING BOARD FOR :
CLAPBOARD BOARDING
AND A CLAPBOARD
BOARDING STRUCTURE

PROVISIONAL ELECTION OF SPECIES

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450

SIR:

In response to the Election of Species requirement dated April 26, 2006, the Applicant provisionally elects with traverse Species I and identifies Claims 1, 6, 14, and 15 as readable on the provisionally elected species.

The Applicant submits that Claims 1, 6, 14, and 15 are generic to the identified species, noting the description of non-limiting embodiments of the engaging notches (121), the upper end surface (151), and the engaging groove (152) set forth in the specification with regards to both species. (See, e.g., page 16, line 19, through page 17, line 7, page 23, lines 11-13, and page 25, line 23, through page 26, line 7.)

The Applicants respectfully traverse the election requirement based on MPEP § 803, which states:

Application Serial No.: 10/753,338

Response to Election of Species Requirement dated April 26, 2006

... If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area.

Accordingly, the Applicants also respectfully traverse the outstanding Election requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Therefore, it is respectfully requested that the requirement to elect a single species be withdrawn.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
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